

# Exhibit R

Not  
CBI  
7/18/2017  
PH

# Big Ox Energy Siouxland Emergency Action Plan

## Introduction

In this Emergency Action Plan, BOE Siouxland has developed plans to help facilitate an orderly evacuation of the plant in the event of an emergency situation.

Considering the potential severity of a fire or series of explosions, training is conducted with the local fire department and ambulance service. The arrangements with the outside agencies are critical; BOE does not have the capability to handle a large fire or the ability to conduct a full search and rescue operation.

Each employee has participated in training on the procedures contained in this Emergency Action Plan. Some employees are assigned specific roles and duties, while others are trained in general terms of the plan. Training is conducted both initially as new employees start and annually as a refresher course. The local fire department has a copy of this Emergency Action Plan.

Truck drivers and visitors must also be familiar with the Emergency Action Plan. Each visitor that enters the plant must sign in; this will ensure that BOE has a record of all people on the plant premises. Depending on the nature and extent of business, visitors or truck drivers may receive training on the Emergency Action Plan.

## Preferred Means of Reporting Fires and other Emergencies

The person that detects an emergency must contact the "Person in Charge" in this order if possible; Lead Operator, Plant Manager, or other designate. Upon notification of an emergency, the "Person in Charge" must assess the situation. The "Person in Charge" will then ask each department to assemble in their respective area and receive instructions as to the immediate danger. This assembly can take place by activating the Emergency Evacuation System if deemed necessary by the "Person in Charge". Any contractors or maintenance personnel working within a department are to make contact with the control room to find out what areas are affected. There is a constant list of any personnel working within a given department and their location on the sign-in board. This allows the control room to keep an ongoing list of any personnel within the department at any given time. Once an assessment has been made, all personnel will either be instructed to perform an emergency shutdown or evacuate immediately.

## Alarm System

The primary alerting system consists of horn/light devices. Once this emergency alarm has been activated, all workers are instructed to return to their respective areas and receive instructions from the "Person in Charge".

The secondary alerting system consists of radios and is used in place of an alarm; specific wording must be used to signal evacuation. The following are specific examples of the proper wording:

- "Fire in the Receiving Area, assemble personnel and await instructions!"
- "Tornado Warning, alert all personnel and prepare for emergency shutdown!"

### Emergency Escape Procedures & Escape Route Assignments

In the event of an emergency such as a fire or explosion or other situation in which evacuation is obvious, you should evacuate the area immediately.

It is the role of all employees to notify the "Person in Charge" if an emergency such as an uncontrollable fire or explosion is detected.

In the event of an evacuation, use the best exit as conditions dictate. Each department has specific routes and meeting places with different options to the Staging Areas.

Everyone is to report to one of the designated assembly areas for a head count. If conditions dictate, the "Person in Charge" will announce to meet at an alternate assembly area.

## Evacuation

### Fire or Explosion:

In the event of a small fire each employee is expected to apply their knowledge and skill acquired from training to detect, contain, or extinguish incipient stage fires using portable fire extinguishers, fire hoses, or other extinguishing agents.

In the case where the emergency is very grave, such as uncontrollable fire or explosion, the primary alerting system will be activated and total and immediate evacuation of all employees may be necessary with the guidance of the "Person in Charge".

### Tornado:

The tornado is nature's most violent storm. It can cause severe loss over a limited area. In the event of a Tornado Watch, all employees will be notified that a tornado watch is in effect. Considering the high winds that are common with this kind of storm, extra precautions must be taken when performing work outside.

In the event of a Tornado Warning, everyone will be notified. The "Person in Charge" will monitor the situation and an order may come to shut down the equipment and evacuate to shelters. The main shelter for inclement weather will be the basement of the Administration Building. If conditions do not permit travel, you will be asked to proceed to the safest area possible (small room without glass or items that can fall, hallway, bathrooms) and a headcount will be taken via radio contact to verify all personnel's location.

#### Earthquakes:

In the event of an earthquake, immediate evacuation will take place just in case of an uncontrollable fire or explosion.

#### Chemical Spill or Toxic Gas Release:

A chemical spill or toxic gas release may affect operations at our facility. We use hazardous chemical on site. In the event of such a release, all employees will be notified, and if necessary, an evacuation will be announced with the guidance of the "Person in Charge".

#### Procedures to Account for Employees after an Emergency Evacuation

The "Person in Charge" or a designate will take a roll call and determine if all employees, visitors, and truck drivers are accounted for.

If contractors are present, the superintendent from each firm will have knowledge of their employees on site and perform a headcount via radio contact.

In the event that someone DOES NOT report to the assembly area, and it is determined that they are missing, the fire department will be notified. The fire department will be in charge of the search and rescue. We may be asked to assist in the search. The following are some expected activities:

- Call for an ambulance and have emergency personnel standing by.
- Determine the last point that the missing person(s) was seen and communicate that information to the fire department.
- The "Person in Charge" will assign someone to be the liaison between the fire department and plant personnel.
- Inform the fire department where the assembly area is located. Do not leave the assembly area unattended.

If requested by the fire department someone may be assigned to work with the emergency response people to assist in the search.

## **BOE SIOUXLAND EMERGENCY RESPONSE PLAN**

REVISED 6/02/2016

### **Notification**

When an incident involving a chemical release, spill, reaction, fire, or explosion which CAN NOT BE CONTROLLED WITH MATERIALS AND PPE IMMEDIATELY AT HAND; the following personnel MUST be notified:

1. Emergency Response Coordinator ("Person in Charge")/ Plant Manager
2. Lead RNG TECH
3. RNG Tech

The notification process should proceed as follows:

1. Notify all personnel in area and exit to a safe distance. (Check to see if all employees are accounted for);
2. Use phone or radio system to notify Emergency Response Coordinator ("Person in Charge"), Lead Operator, Operator;
3. Notify "Person in Charge" of location, severity, materials involved (if known), and if the emergency involves injuries; and
4. Prevent unauthorized entry into the area without "Person in Charge" approval.

### **Site Control**

The incident area shall be evacuated to a safe distance where respiratory protection and PPE will not be necessary. If the material is highly toxic, flammable, or unknown, the evacuation area will be larger and up wind from the area. Secure the area with caution tape or personnel to prevent unauthorized access. See the Facility's Contingency Plan for evacuation routes and procedures.

### **Information Gathering**

Prior to any response work being initiated, the full extent of the incident should be known. Specific information that must be considered before a strategy can be developed will include;

1. Type of material (s) involved;
2. Approximate quantity of the material released;
3. Hazards associated with the material(s)/incident;
  - a. Toxic

- b. Flammability
- c. Physical
- d. Reactivity
- 4. Employee Injuries;
- 5. Initial Airborne Concentrations (if available);
- 6. PPE and Respiratory Protection needs; and
- 7. Tasks or corrective action to be performed.

There are many resources that are available to assist in gathering the needed information such as MSDS', NIOSH Pocket Guide to Hazardous Chemicals, Safety-Health –Environmental Department; contact your supervisor for other possible sources.

**DO NOT PERFORM ANY HANDS ON WORK UNTIL ALL PROPER INFORMATION IS COLLECTED AND PROPER SAFE WORK PRACTICES HAVE BEEN ESTABLISHED! A RELEASE TO THE ENVIRONMENT IS SECONDARY TO EMPLOYEE SAFETY AND PROTECTION!**

Information on containers or materials can be found by identifying labels, tank numbers, drum labels, or other identification source.

#### Response Evaluation

Using the flow chart below personnel can assess an event and determine the appropriate course of action necessary for that particular event. The chart is not intended to be all inclusive but simply a decision –making tool to assist personnel in evaluating releases and incidents.

Incidental	YES	Clean it up with facility designated PPE
NO		
Emergency Action	YES	Secure area, notify personnel, notify supervisor
NO		
Contingency Plan Activation	YES	Evacuate the area, notify Plant Manager, and go to facility's Staging Area
NO		
Catastrophic Release	YES	Evacuate facility, notify Plant Manager, go to facility's staging area

## Response Procedures

**Incidental Release** – If it is determined that the release is incidental, personnel within that work area will use the following guidelines:

1. Clean up the release using the PPE required for that type of material and compatible absorbent. If the individual is unfamiliar with the material they should look it up in the SDS or contact the Plant Manager;
2. Containerize the contaminated absorbent and PPE;
3. Notify the "Person in Charge" and request further handling instructions; and
4. Report the incident on an incident report and submit a copy to the Plant Manager within 24 hours.

**Emergency Action** – If it is determined that the release requires emergency action, personnel within that work area will utilize the following guidelines:

1. Evacuate and secure the area and stop the release if it can be done remotely/safely;
2. Notify the Lead Operator and Plant Manager. This notification must occur immediately after the incident is discovered; a toluene fire is reported to South Sioux City Fire Department immediately
3. Identify the hazardous materials involved (Tank ID, Container Label) and the resources needed to respond (PPE, Personnel, Speedy Dry, Monitoring Equipment, etc.); Paperwork required (Energy, Hot Work, Rail, etc.);
4. Inform personnel of the hazards (Safety Briefing);
5. Dress out in the proper PPE;
6. Monitor the surrounding area and the hot zone utilizing equipment specified by the "Person in Charge" and/or the Corporate Risk Manager;
7. Clean up the spill to include contaminated soil, grass, rocks, foliage, etc.;
8. Decontaminate equipment & personnel;
9. Restock all of the emergency response equipment and return all tools to their proper location;
10. Critique and document response activities within 24 hours per incident investigation guidelines.

Contingency Plan Activation – If it is determined that the release requires contingency plan activation, personnel within that work area will utilize the following guidelines:

1. Evacuate and secure the area and stop the release if it can be done remotely/safely;
2. Notify the Lead Operator and Plant Manager. This notification must occur immediately after the incident is discovered;
3. Management may review the incident again at this time and determine that the incident be reclassified as an emergency action if appropriate (the potential health and safety hazards may warrant a lesser response);
4. Facility evacuation may be necessary if determined by the "Person in Charge" or Plant Manager. If it is deemed necessary then the "Person in Charge" will assign an individual to activate the facility alarm system. All personnel will meet at the designated Staging Areas and supervisors will account for their personnel and report to the "Person in Charge" or his/her designee;
5. Request support from Fire Department/EMS/law enforcement (As applicable, consult the "Person in Charge");
6. Identify the hazardous materials involved (Tank ID, Container label) and the resources needed to respond (PPE, Personnel, Speedy Dry, Monitoring Equipment, etc.); Paper work required (Energy, Hot Work, Rail, etc.);
7. Establish work zones (i.e. Hot Zone, Support (Warm Zone));
8. Inform personnel of the hazards (Safety Briefing);
9. Dress out in the proper PPE;
10. Monitor the surrounding area and the hot zone utilizing equipment specified by the "Person in Charge" and/or the BOE Corporate Risk Manager;
11. Clean up the spill to include contaminated soil, grass, rocks, foliage, etc.;
12. Decontaminate equipment & personnel;
13. BOE Corporate Risk Manager will notify state and federal agencies as required by the facility's permit and/or other regulatory requirements;
14. Restock all of the emergency response equipment and return all tools, etc.; to their proper location; and
15. Critique and document response activities within 24 hours per incident investigation guidelines.



Worker Evacuation Conditions – If any of the following conditions are present or encountered during the response, all work activities will stop and the area evacuated:

1. >10% LEL;
2. >1/2 IDLH
3. Oxygen content is <19.5% or >23.5%; or
4. Any unexpected or uncontrollable situation occurs during operations (i.e. unexpected chemical reaction, flash fire, employee injury).

Post Clean up Inspection – Following completion of the clean up the area will be inspected by the BOE Corporate Risk Manager to assure there are no residual materials which could affect employees or the environment.

Post Emergency Response Critique and Investigation – The Emergency Planning and Response investigations will be accomplished in accordance with the BOE Risk Management Incident Investigations.

#### Emergency Response Contractors

##### Hydro Blaster – Wet/Dry Vacuum

Seneca Companies

Office: 800-369-5500

Hydro Klean

Office: 515-283-0500

#### Heavy Equipment Resources

(company name)

(contact name) phone #

1-Fork Lift

1-Manitou

**Local and Federal Agencies**

South Sioux City Fire Department Emergency Number	911
South Sioux City Police Department Non-Emergency Number	(402) 494-7555
South Sioux City Fire Department Non-Emergency Number	(402) 494-7508
South Sioux City Fire Chief – Toby English	(402) 494-7508
South Sioux City Fire Marshal/Inspector –	(402) 494-7508
Dakota County Sheriff Department Emergency Number	911
Dakota County Sheriff Department Non-Emergency Number	(402) 494-7555
Dakota County Sheriff – Chris Kleinberg	(402) 494-7555
Dakota County Emergency Management Director-Deanna Beckman	(402) 494-7555
Ambulance Service	911
Mercy Regional Medical Center (Sioux City, IA)	(712) 279-2010
Mercy Urgent Care	(712) 222-7990
Nebraska Emergency Management Agency (NEMA)	(402) 471-7421
National Response Center	(800) 424-8802
Chemtrec	(800) 424-9300
Natural Gas Pipeline Co.	(XXX) XXX-XXXX
(electrical provider)	(XXX) XXX-XXXX
Nebraska Poison Control Center (PCC)	(800) 222-1222
National Poison Control Center (directs to the nearest PCC)	(800) 222-1222
EPA Region 7	(913) 551-7003
	(800) 223-0425

# HAZARDOUS MATERIAL INCIDENT REPORT

Anyone giving or receiving a report of an incident should obtain as much of the following information as possible.

Time of Report \_\_\_\_\_ a.m./p.m. Date \_\_\_\_\_

NAME OF PERSON CALLING \_\_\_\_\_

REPRESENTING \_\_\_\_\_ TITLE OR POSITION \_\_\_\_\_

TELEPHONE NUMBER WHERE PERSON CALLING MAY BE REACHED \_\_\_\_\_

## LOCATION OF INCIDENT:

City \_\_\_\_\_ County \_\_\_\_\_

Exact location of area involved: \_\_\_\_\_

## HAZARDOUS MATERIAL INVOLVED:

Chemical name: \_\_\_\_\_

Quantity spilled/released (if known): \_\_\_\_\_

Physical form (e.g., liquid, solid, or gas): \_\_\_\_\_

Duration of release: \_\_\_\_\_

Media into which the release occurred (e.g. land, air): \_\_\_\_\_

Manufacturer: \_\_\_\_\_

## DESCRIPTION OF INCIDENT:

Time and Date of incident: \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ / \_\_\_\_\_ /20 \_\_\_\_

Weather conditions (wind, atmospheric conditions, etc.) \_\_\_\_\_

## Current status of incident:

1. Is the incident area secured? \_\_\_\_\_
2. Was there an explosion? \_\_\_\_\_ Fire? \_\_\_\_\_
3. Are there people injured? \_\_\_\_\_

4. Advise regarding necessary medical attention? (if known)\_\_\_\_\_

5. Precautions to take as a result of the release (if known)\_\_\_\_\_

Report taken by:\_\_\_\_\_Agency\_\_\_\_\_

Notes:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Emergency Response Info

This is a list of training received on the BOE Emergency Action Plan:

- The Preferred means of reporting fires and other emergencies.
- The alarm system.
- Locations of the alarming system.
- Emergency escape procedures and emergency escape route assignments.
- Evacuation including:
  - o Fires or explosions
  - o Tornado
  - o Chemical Spills
  - o Bomb Threats
- List of emergency numbers and names of trained personnel.
  - o BOE Emergency Officers
  - o Plant Emergency Response Team Members

I have received training on the items listed above through overheads and discussion. I have also seen a copy of the BOE Emergency Action Plan, and understand my role within this plan. I am informed on who to contact if further questions arise.

Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Trainers Signature \_\_\_\_\_

Date \_\_\_\_\_